

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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GREGORY ROWSER and KELVIN
PRUITT,

Plaintiffs,

v.

BENTON-MARKS CONSTRUCTION
COMPANY,

Defendant.

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CIVIL ACTION NO.

CV-01-AR-1076-S

ENTERED

JUL 11 2001

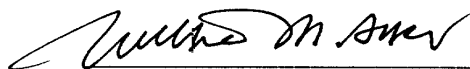
FINDINGS OF FACT REGARDING
EQUITABLE RELIEF

One of the requests for relief put forward by both of the above-named plaintiffs was that they be awarded front pay. Because front pay constitutes equitable relief, the court did not give the question of front pay to the jury for final disposition and only employed the jury as an advisory jury on that issue. Although admittedly influenced by the jury's advice on the subject in its response number 2 as to each plaintiff, the court has independently reached the conclusion that front pay, which by definition has a speculative characteristic because the future cannot be predicted with absolute certainty, should be awarded, and that each plaintiff met his burden of proof of proving lost future wages in the sum of \$5,000.

This finding will be employed along with the jury's findings in its responses numbers 1, 3 and 4 in the final judgments that will be separately entered.

11

DONE this 11th day of July, 2001.

A handwritten signature in black ink, appearing to read "William M. Ackers, Jr.", written over a horizontal line.

WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE